

## U.S. Department of Justice

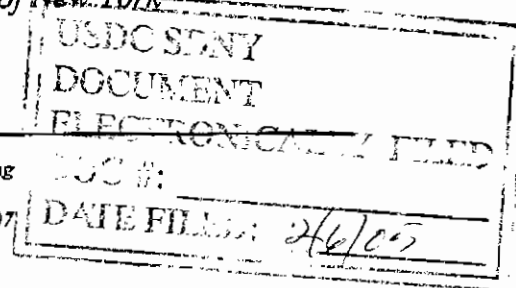


United States Attorney  
Southern District of New York

MEMORANDUM ENDORSED

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

February 2, 2006

By Facsimile

The Honorable Naomi Reice Buchwald  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2270  
New York, New York 10007

Re: *United States v. Juan Carlos Vargas,*  
04 Cr. 1350 (NRB)

Dear Judge Buchwald:

The parties in the above-referenced matter were scheduled to appear before Your Honor on Monday January 30, 2006. I write respectfully to request that the Court set this matter down for a conference on February 21, 2006 at 4:30 p.m., at which time I expect the defendant will offer to withdraw his previously-entered plea of not guilty and enter a plea of guilty to a superseding information.

In addition, the Government respectfully requests that the Court prospectively exclude the time between today and February 21, 2006 from Speedy Trial Act computations in the interest of justice, pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and (B). The reason for this request is that the parties need additional time to finalize the necessary paperwork for the anticipated plea. The exclusion would also be designed to ensure that the defendant has adequate time to review the matter with counsel and prepare for his expected allocution. The Government respectfully submits that these interests outweigh the interests of the public and the defendant in a speedy trial, and that the exclusion is therefore in the interest of justice.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

SO ORDERED:

WILLIAM H. PAULEY III U.S.D.J.  
2-3-06

By:

Daniel L. Stein  
Assistant U.S. Attorney  
(212) 637-2407

cc: Margaret Shalley, Esq.  
Attorney for Defendant